

REMARKS

In response to the Office Action dated March 1, 2005, applicants respectfully request reconsideration of the application in view of the foregoing amendment and following remarks. Claims 1, 3-22 and 24-43 are currently pending in this application.

The Examiner objected to the specification for an informality, which applicants have attended to, by replacing a pending application serial number with the appropriate issued patent number.

The Examiner rejected claims 1 and 3 under 35 USC § 103(a) as being unpatentable over Shepherd et al. (2002/0066345) in view Hoffman et al.

Applicants respectfully traverse this rejection. While applicants believe that they understand the Examiner's stated position in the Office Action, applicants wish to clarify that reference number 16 in the Shepherd reference indicates the waterjet head, rather than a high-pressure fluid jet, and reference number 36 refers to the prior art clamp illustrated in Figure 1, rather than a cutting head assembly. The cutting head assembly or mixing chamber housing of Shepherd is indicated at reference number 30.

Claim 1 of the present application defines a cutting head assembly having a body that is that portion that receives an orifice for generating a high-pressure fluid jet and receives a mixing tube positioned within it downstream of the orifice location. Claim 1 further requires that a motion assembly be coupled to the cutting head assembly via a clamp positioned around the body of the cutting head assembly.

Contrary of the assertions of the Examiner, Shepherd does not disclose a motion assembly coupled to a cutting head assembly via a clamp positioned around the body of the cutting head assembly, as required by Claim 1. More particularly, both the prior art clamp 36 illustrated in Figure 1, and the tilt control assembly 56 of Figures 2-7, are coupled to tube member 26 that extends between the valve body 18 and the cutting head assembly 30. There is no teaching or suggestion in Shepherd to provide a clamp around the body of a cutting head assembly. As taught in the present invention, coupling the motion assembly to the cutting head provides greater accuracy and positioning in manipulating the jet. This benefit is not

contemplated or provided in the prior art. Therefore, Claim 1, and the claims that depend therefrom are allowable over the cited art.

Furthermore, there is no motivation to combine the teachings of Hoffman with those of Shepherd, and in fact, doing so would render the invention of Shepherd inoperable. More particularly, Hoffman discloses a pipe clamp assembly to hold pipes to a mounting member in a manner to prevent axial movement of the pipes. The tilt control assembly of 56 is coupled to the tube 26 via a series of bearing assemblies that permit axial misalignment of a number of degrees between the vertical bearing assembly axis and the tube member 26. The teachings and functionality of Shepherd would be lost by replacing this arrangement with the pipe clamp of Hoffman. Furthermore, even if Hoffman and Shepherd are combined, there is still no teaching or suggestion to couple a motion assembly to a cutting head assembly via a clamp positioned around the body of the cutting head assembly. Claim 1, and the claims that depend therefrom, are therefore allowable over the cited art.

As the Examiner has repeated the same statement of reasons for allowance in the present Office Action, applicants enclose herewith a duplicate copy of its "Comments on Statement of Reasons for Allowance," as submitted previously. If questions remain, the Examiner is invited to contact applicants' counsel, Lorraine Linford, at the telephone number listed below.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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Enclosures:

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Copy of Comments on Statement of Reasons for Allowance

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